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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,833	01/29/2001	Takehiko Numata	3531.65151	9342

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EXAMINER

ORTIZ, JORGE L

ART UNIT	PAPER NUMBER
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2697

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DATE MAILED: 04/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/771,833

Applicant(s)

NUMATA, TAKEHIKO

Examiner

Jorge L Ortiz-Criado

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7-10 is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Narahara et al.
U.S. Patent No. 6,262,950.

Regarding claim 1, Narahara et al. discloses an optical storage medium having land tracks and groove tracks alternately formed and capable of recording and/or reproducing information with respect to said land tracks and said groove tracks (See Figs. 2A, 2B), comprising:

a plurality of first ID portions respectively having first track addresses as consecutive numbers given to said land tracks (See col. 7, lines 33-47; col. 8, lines 6-14; col. 8, lines 55-63; Figs. 2A, 2B, 3);

and a plurality of second ID portions respectively having second track addresses as consecutive numbers given to said groove tracks independently of said consecutive numbers of said first track addresses (See col. 7, lines 33-47; col. 8, lines 6-14; col. 8, lines 55-63; Figs. 2A, 2B, 3).

Regarding claim 2, Narahara et al. discloses wherein each of said first ID portions has a first identifier for identifying said land tracks (See col. 7, lines 33-47; col. 8, lines 6-14; col. 8, lines 55-63; Figs. 2A, 2B, 3).

and each of said second ID portions has a second identifier for identifying said groove tracks (See col. 7, lines 33-47; col. 8, lines 6-14; col. 8, lines 55-63; Figs. 2A, 2B, 3),

and wherein each of said first ID portions is provided in each of first headers (See col. 7, lines 33-47; col. 8, lines 6-14; col. 8, lines 55-63; Figs. 2A, 2B, 3).

and each of said second ID portions is provided in each of second headers (See col. 7, lines 33-47; col. 8, lines 6-14; col. 8, lines 55-63; Figs. 2A, 2B, 3).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Narahara et al.

U.S. Patent No. 6,262,950 in view of Horimai et al. U.S. Patent 6,215,758.

Regarding claims 3 and 5, Narahara et al. discloses an optical storage medium having land tracks and groove tracks, and capable of recording and/or reproducing information with respect to said land tracks and said groove tracks (See Figs. 2A, 2B) comprising:

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a plurality of first ID portions respectively having first track addresses as consecutive numbers given to said land tracks (See col. 7, lines 33-47; col. 8, lines 6-14; col. 8, lines 55-63; Figs. 2A, 2B, 3);

and a plurality of second ID portions respectively having second track addresses as consecutive numbers given to said groove tracks (See col. 7, lines 33-47; col. 8, lines 6-14; col. 8, lines 55-63; Figs. 2A, 2B, 3).

said consecutive numbers of said second track addresses being consecutive to said consecutive numbers of said first track addresses.

But Narahara et al. fails to disclose having land tracks and groove tracks alternately formed and divided into a plurality of groups.

However this feature is well known in the art as evidenced by Horimai et al., which discloses having land tracks and groove tracks alternately formed and divided into a plurality of groups (See Abstract, Figs. 1, 2) and having portions respectively having addresses for the grooves and land tracks (See Fig. 28).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to having land tracks and groove tracks alternately formed and divided into a plurality of groups and include said consecutive numbers of said first track addresses in any one of said groups being consecutive to said consecutive numbers of said second track addresses in its immediately preceding group in order to format of a recording medium suitable for a larger capacity providing high transfer rate, and integration of pits/lands/grooves as suggested by Horimai et al.

Regarding claims 4 and 6, Narahara et al. further discloses wherein each of said first ID portions has a first identifier for identifying said land tracks (See col. 7, lines 33-47; col. 8, lines 6-14; col. 8, lines 55-63; Figs. 2A, 2B, 3),

and each of said second ID portions has a second identifier for identifying said groove tracks (See col. 7, lines 33-47; col. 8, lines 6-14; col. 8, lines 55-63; Figs. 2A, 2B, 3),

and wherein each of said first ID portions is provided in each of first headers and each of said second ID portions is provided in each of second headers (See col. 7, lines 33-47; col. 8, lines 6-14; col. 8, lines 55-63; Figs. 2A, 2B, 3).

Allowable Subject Matter

4. Claims 7-10 are allowed.

5. The following is a statement of reasons for the indication of allowable subject matter:

Applicant's claimed invention is deemed allowable over the prior art of record as the prior art fails to teach or suggest either alone or in combination an optical storage device for transferring information by logical block addresses to an optical storage medium having land tracks and groove tracks alternately formed and given a plurality of track addresses and a plurality of sector addresses

Specifically, prior art fails to teach or suggest either alone or in combination, a producing unit for producing said logical block addresses for giving consecutive numbers to said track addresses of one kind of said land tracks and said groove tracks in each sector and a producing unit for producing said logical block addresses for dividing said land tracks and said groove

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tracks into a plurality of groups, giving consecutive numbers to said track addresses of one kind of said land tracks and said groove tracks in any one of said groups in each sector.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to an optical storage medium and optical storage device.
 - a. U.S. Patent No. 6,456,585 to Takemura et al., which discloses an optical disk and reproducing apparatus.
 - b. U.S. Patent No. 6,118,752 to Miyagawa et al., which discloses an optical information-recording medium.
 - c. U.S. Patent No. 6,163,522 to Nakane et al., which discloses an optical recording medium.
 - d. U.S. Patent No. 5,946,285 to Nakane et al., which discloses an optical disk.
 - e. U.S. Patent No. 6,337,839 to Nakane et al., which discloses an optical disk and optical disk drive.
 - f. U.S. Patent No. 6,224,959 to Nagasaka et al., which discloses an optical disc.

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- g. U.S. Patent No. 6,226,257 to Morimoto et al., which discloses an optical information storage medium.
- h. U.S. Patent No. 6,452,897 to Van Den Enden, which discloses an optical disc and apparatus for scanning the optical disc.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jorge L Ortiz-Criado whose telephone number is (703) 305-8323. The examiner can normally be reached on Mon.-Thu.(8:30 am - 6:00 pm), Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, HOF SASS R JEFFERY can be reached on (703) 305-4717. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-6743 for regular communications and (703) 308-6743 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

joc
April 4, 2003


Richmond Dorvil
Primary Examiner